

From: Bradley Hawkins
To: Microsoft ATR
Date: 1/23/02 10:05am
Subject: Microsoft Settlement

The proposed settlement is not in the best interest of the public. The three points below would address my concerns with the settlement and Microsoft's monopolist practices:

- Opening the Windows API falls short of leveling the field; a just settlement would require that Microsoft's file formats be made public.
- Computer users who wish to employ a non-Microsoft operating system nevertheless now must pay for Microsoft software when buying a new computer. Any remedy seeking to prevent an illegal extension of Microsoft's monopoly must prohibit preload agreements, placing Microsoft products as extra-cost options, so that the user who does not wish to purchase Microsoft products is not forced to do so.
- To encourage competition, a just settlement would enjoin Microsoft from selling its software to anyone at a lower price than it sells it to anyone else. This means that for the price differential between a new computer with Microsoft software and one without, a computer seller must offer the software without the computer.

Bradley Hawkins
bradley@bradleyhawkins.org